

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 2754.

(Given pursuant to section 4 of the Food and Drugs Act.)

U. S. v. Frazier Packing Co. Plea of guilty. Fine, \$100 and costs.

ADULTERATION OF TOMATO CATSUP.

At the November, 1912, term of the District Court of the United States for the District of Indiana the grand jurors of the United States within and for said district, acting upon a report by the Secretary of Agriculture, returned an indictment against the Frazier Packing Co., a corporation, Elwood, Ind., charging shipment by said defendant, in violation of the Food and Drugs Act, from the State of Indiana into the State of Illinois—

(1) On October 3, 1911, of a quantity of tomato catsup which was adulterated. The product was labeled: (On bottle) "Marvel Brand Catsup. Packed for Webster Gro. Co., Danville, Ill.;" (on shipping cases) "2 doz. 10 oz. Marvel Tomato Catsup. Webster Gro. Co., Danville, Ill." Analysis of samples of the product by the Bureau of Chemistry of this Department showed the following results: (Sample No. 1) Mold filaments present in about 84 per cent of all microscopic fields examined; yeasts and spores, about 30 per one-sixtieth cubic millimeter; bacteria, about 10,000,000 per cc. (Sample No. 2) Mold filaments present in about 76 per cent of all microscopic fields examined; yeasts and spores, about 24 per one-sixtieth cubic millimeter; bacteria, about 10,000,000 per cc.

(2) On November 25, 1911, of a quantity of tomato catsup which was adulterated. This product was labeled: "Renroh Brand Catsup. Packed for Henry Horner & Co. Chicago, Ill." On a second label is stamped: "This package contains about 10 ounces." Examination of a sample of this product in said Bureau of Chemistry showed the following results: Mold filaments present in about 56 per cent of all

microscopic fields examined; yeasts and spores, about 80 per one-sixtieth cubic millimeter; bacteria, about 175,000,000 per cc. Adulteration of the product was charged in the indictment for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On February 28, 1913, the defendant company entered a plea of guilty to the indictment and the court imposed a fine of \$100 and costs.

B. T. GALLOWAY,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *December 19, 1913.*

2754

○